

EXHIBIT E  
DEFENDANTS' WITNESS  
LIST

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

<b>Midas Green Technologies, LLC,</b>	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 6:22-CV-00050-ADA
	)	
<b>Rhodium Enterprises, Inc.;</b>	)	
<b>Rhodium Technologies LLC;</b>	)	
<b>Rhodium 10MW LLC;</b>	)	<b>JURY TRIAL DEMANDED</b>
<b>Rhodium 2.0 LLC;</b>	)	
<b>Rhodium 30MW LLC;</b>	)	
<b>Rhodium Encore LLC;</b>	)	
<b>Rhodium Renewables LLC;</b>	)	
<b>Rhodium Renewables Sub LLC; and</b>	)	
<b>Rhodium Ready Ventures LLC.</b>	)	
	)	
Defendants.	)	
	)	

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**DEFENDANTS’ PROPOSED WITNESS LIST (April 3, 2024)**

Defendants Rhodium Enterprises, Inc., Rhodium Technologies LLC, Rhodium 10MW LLC, Rhodium 2.0 LLC, Rhodium 30MW LLC, Rhodium Encore LLC, Rhodium Renewables LLC, Rhodium Renewables Sub LLC, and Rhodium Ready Ventures LLC (“Rhodium”) hereby submit the below Proposed Witness List in accordance with the Federal Rules of Civil Procedure, the Local Rules of the Western District of Texas, and this Court’s Standing Orders, based on information reasonably available to Rhodium at this time. This Proposed Witness List discloses those witnesses that Rhodium expects to present at trial, either live or by deposition, and those witnesses Rhodium may call if the need arises, either live or by deposition. Rhodium expressly reserves the right to call live, by video, or by deposition (video or transcript) any witness on this list or on Plaintiff’s witness list, or on any prior or future iteration of Plaintiff’s witness list.

This Proposed Witness List does not identify those witnesses whom Rhodium may choose to cross-examine at trial, and Rhodium expressly reserves the right to cross-examine and/or impeach any witnesses called live or by deposition at trial by any party, regardless of whether those witnesses are disclosed on this Proposed Witness List, including without limitation by counter-designations of proffered deposition testimony. Rhodium further expressly reserves the right to present witnesses by deposition in the event that they become unavailable for trial.

Rhodium further expressly reserves the right to supplement or otherwise modify this Proposed Witness List based on circumstances as they may evolve prior to the commencement of Rhodium's case-in-chief, including to respond to issues raised by the Court's pretrial or trial rulings or to issues raised after the submission of this witness list. With respect to order, the parties are meeting and conferring, such that Rhodium may agree to change the order listed below to permit Midas Green witnesses to testify only once or to otherwise accommodate their schedule. Finally, Rhodium expressly reserves the right to call additional witnesses if necessary should Plaintiff contest the authenticity or admissibility of any document or other evidence at trial.

<b>Witness Order</b>	<b>Witness Name</b>	<b>Fact or Expert</b>	<b>Estimated Examination Time</b>	<b>Live Deposition or</b>	<b>May Call or Will Call</b>
1	Chase Blackmon	Fact	1.5 – 2 hours	Live	Will Call
2	Nathan Nicholas	Fact	0.5 hours	Live	Will Call
3	Dr. Alfonso Ortega	Expert	2 – 2.5 hours	Live	Will Call
4	Cameron Blackmon	Fact	0.5 hours	Live	May Call
5	Christiaan Best	Fact	0.75 hours	Live Deposition or	May Call
6	Michael Rainone	Fact	0.5 hours	Live Deposition or	May Call
7	Juli Saitz	Expert	0.75 – 1 hour	Live	May Call
8	Nicholas Cerasuolo	Fact	0.5 hours	Live Deposition or	May Call
9	Marshall Long	Fact	0.5 hours	Live	May Call
10	Christopher Boyd	Fact	0.75 – 1 hour	Live	May Call
11	James Koen	Fact	0.5 hours	Live	May Call
12	Scott Sickmiller	Fact	0.5 hours	Live	May Call
13	Francisco Conti	Fact	0.5 hours	Live Deposition or	May Call
14	Mario Conti	Fact	0.5 hours	Live	May Call
15	Thomas Turner	Fact	0.5 hours	Live Deposition or	May Call
16	D. Christopher Laguna	Fact	0.5 hours	Live Deposition or	May Call
17	Kenneth Swinden	Fact	0.5 hours	Live Deposition or	May Call
18	Kenneth Tooke	Fact	0.25 hours	Live Deposition or	May Call